



**JONATHAN E. FIELDING, M.D., M.P.H.**  
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July 3, 2013

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.  
Director and Health Officer

SUBJECT: **NOTIFICATION OF THE USE OF DELEGATED AUTHORITY TO ACCEPT AN  
ACCEPTANCE OF ALLOCATION AGREEMENT FROM THE CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH TOBACCO CONTROL PROGRAM FOR  
THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2014**

This is to notify you that I am exercising the delegated authority approved by your Board on June 18, 2013 to accept and implement a forthcoming Acceptance of Allocation Agreement (AOAA) from the California Department of Public Health Tobacco Control Program (CDPH/TCP), to support tobacco control and prevention services for the anticipated period of July 1, 2013 through June 30, 2014, at an estimated amount of \$2,209,683, subject to review and approval by County Counsel, review by Chief Executive Office (CEO) Risk Management as needed, and notification to your Board and the CEO to include significant contractual provisions required by the State that depart from standard Board approved language, including insurance and indemnification.

Under the authority referenced above, I will accept and implement AOAA Number CTCP-13-19 from CDPH/TCP in the amount of \$2,209,683 for the period of July 1, 2013 through June 30, 2014. Acceptance of these funds will allow the Department of Public Health to implement four objectives related to tobacco control and prevention: 1) participate in the planning, coordination and implementation of a statewide Retail Environment Campaign; 2) expand the county-wide tobacco control coalition to include non-traditional partners; 3) reduce youth access to tobacco products through the implementation of evidence-based jurisdiction-wide strategies; and 4) reduce exposure to secondhand smoke in outdoor areas and multi-unit housing through the implementation of evidence-based jurisdiction-wide strategies.

County Counsel has reviewed and approved AOAA Number CTCP-13-19 as to use and advised that your Board be informed that the general terms and conditions that are incorporated in this agreement include provisions requiring County to indemnify, defend and hold harmless California Department of Public Health (CDPH) for all intellectual property claims and losses related to this agreement. This is a standard requirement from CDPH and cannot be waived or modified. CEO Risk management has advised of the risks associated with these provisions. However, I believe these risks are acceptable in light of the need for these services and the resulting benefit to public health.

County Counsel has reviewed and approved this delegated authority action.

If you have any questions or require additional information, please let me know.

CAH:os (#2705)

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors